

Environmental Justice

Presented by: Phyllis Sobel
May 29, 2002

Topics

- What is environmental justice?
- Background
- NMSS Procedure
- Landview
- Examples

BACKGROUND

- Environmental justice means the fair treatment and meaningful involvement of all people, regardless of race, ethnicity, culture, income or education level with respect to the development, implementation and enforcement of environmental laws, regulations and policies (EPA definition)
- In February 1994, President Clinton issued Executive Order No. 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations." (See attachment)

ETU

WFSAC
Sto to be included

EJ Group
↳

NRC's Response to the EO

- Chairman Selin's response to the President stated that "... we will endeavor to carry out the measures set forth in Executive Order 12898 ..."
- NRC formed an Environmental Justice (EJ) Group
- NRC planned to use the following to consider EJ concerns:
 - NEPA process
 - Lessons learned from LES EIS
 - Public outreach efforts
 - NRR's Environmental Standard Review Plan

Shirley Treby
 March Lopez - OH's
 Hampton Dawson
 Mike Weber - NRC
 - numerous guidelines

Interagency Working Group

- Chaired by EPA
- Hugh Thompson, EDO, represented NRC
- Developed guidance
- Coordinated EJ strategies submitted by each agency
- Ended when final CEQ guidelines published

Landview - CD set
 - currently not complete
 - used to be a group
 - tables of data
 - count to state
 - 20% - 30% diff slc
 100% - 30% diff hit
 on everything
 - NRR copied the #'s as well

long from only has

Documents Submitted to EPA

- Environmental Justice Survey - stressed NRC's methods of seeking public input
- Environmental Justice Strategy
 - EJ integrated into NRC's NEPA activities
 - Openness and clarity
 - Public participation

(1) Census 1st step
 (2) Strategy
 Survey just
 Census #'s to
 find again that
 too many up from

So up to level to spread to LA - parish - class too large & jump - no tables census. make this more clear

Special case EJ - say if you see mine but no impact

- EJ as duty supply

How NRC Has Addressed EJ

- NRR Environmental SRP
- NRR Office Letter on EJ
- NMSS Environmental Review Guidance
- EISs
 - LES uranium enrichment facility
 - Crown Point uranium recovery facility
 - Private Fuel Storage ISFSI

- good EJ

(Crown Point) **

- over 90% native American

- significant resources there like 80% of 82

from area - reg. duty

some of the impacts

Lessons Learned

- EJ should be a section in the EIS
- Provide minority and low-income data at the block group level
- Public participation is important in identifying EJ communities
- EJ communities should be consulted about alternatives, mitigation and monitoring

NMSS EJ Procedure

- Step 1 - Obtain Census data
- Step 2 - Compare block group data with county and state
- Step 3 - If there is EJ potential, evaluate impacts
- Step 4 - Document

Rosetta Virginia

may know more

Landview – EJ Software

- GIS (geographic information system) – layers of data
- Developed by EPA, Census and NOAA
- Contains Census data and EPA- and NRC-related facilities
- To be updated in late 2002 with 2000 Census data
- Recommend to contractors

Landview (Cont).

- Mapping capabilities to display, search and identify map objects
- Determine population characteristics for any radius around any point in the U.S.
- Tables and maps display the data

Evaluate Impacts

- Are minority or low-income populations impacted to a greater extent?
- Are disproportionate impacts high and adverse?
- Are impacts significant or unacceptable?
- Are impacts above regulatory limits, state/local statutes and ordinances?
- Are there multiple pollution sources?

ABEX SUPERFUND SITE PORTSMOUTH, VIRGINIA

1986 - EPA identified high lead concentrations in foundry waste and soil at Abex and in neighboring residential lots

1986 and 1992 - Abex excavates and removes contaminated soil from residential areas, including a housing project and playground

1992 - Record of Decision (EPA/State of VA):

Excavate and treat contaminated soil and waste material at foundry site and in residential area, including housing project

Demolish Abex buildings

Dispose of treated soil and building debris at RCRA landfill

Private landowners will be temporarily relocated during excavation (\$2K per family for 62 families)

1999 - EPA announces expanded cleanup based on historical data in the file

Additional sampling planned

Portsmouth Health Department offering free blood lead screenings for children

2000 - EPA settles lawsuit:

A coalition of public-housing residents argued that EPA, HUD and a local housing authority acted to further racial segregation. Because EPA's Superfund remedy did not relocate the public-housing residents, EPA was perpetuating racial segregation that began when the housing project was built as "Negro Housing" before the passage of the 1964 Civil Rights Act. Citizens wanted EPA to redress past discrimination as part of a Superfund cleanup.

Preliminary rulings by the federal court establish for the first time the ability of residents to challenge EPA Superfund remedies based on equity concerns.

EPA agreed that the housing project will be demolished and its residents offered federal vouchers to relocate.

2002 - The federal court approved a consent decree that orders federal and local officials to relocate all of the 160 families living in Washington Park Public Housing. Residents of this segregated public housing will be moved to integrated housing opportunities.

CENSUS DATA IN LANDVIEW

Blocks are not included in Landview, probably because there is too little income information available at this level.

Census block groups are usually small areas bounded on all sides by visible features such as streets, roads, streams, and railroad tracks, and by invisible boundaries such as city, town, township, and county limits.

Census tracts are small statistical subdivisions of a county. Census tracts usually have between 2,500 and 8,000 persons and are designed to be homogeneous with respect to population characteristics, economic status, and living conditions.

The primary political divisions of most states are termed "counties." In Louisiana, these divisions are known as "parishes."

Census designated places comprise densely settled concentrations of population (generally, cities or villages).

Metropolitan statistical areas (MSAs) are generally a large population nucleus, together with adjacent communities that have a high degree of economic and social integration with that nucleus.

States are the primary governmental divisions of the United States. The District of Columbia is treated as a statistical equivalent of a state for census purposes.

ZIP Codes are administrative units established by the United States Postal Service (USPS) for the distribution of mail and generally do not respect political or census statistical area boundaries.

Population by Race and Hispanic or Latino Origin

The Census Bureau is planning to use the following race categories in Landview for the 2000 Census data:

- White alone
- Black or African American alone
- American Indian and Alaska Native alone
- Asian alone
- Native Hawaiian and Other Pacific Islander alone
- Some other race alone
- Two or more races

Landview will also include data in the category "Hispanic or Latino (of any race)."

The 2000 Census introduced the multiracial category. Anyone who identifies themselves as white and a minority will be counted as that minority group.

In the small number of cases where individuals identify themselves as more than one minority, that individual will be counted in the "Two or More Races" category.

CEQ
no longer an
attachment
info public
participation

sign different
for site in
OK

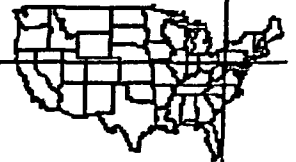
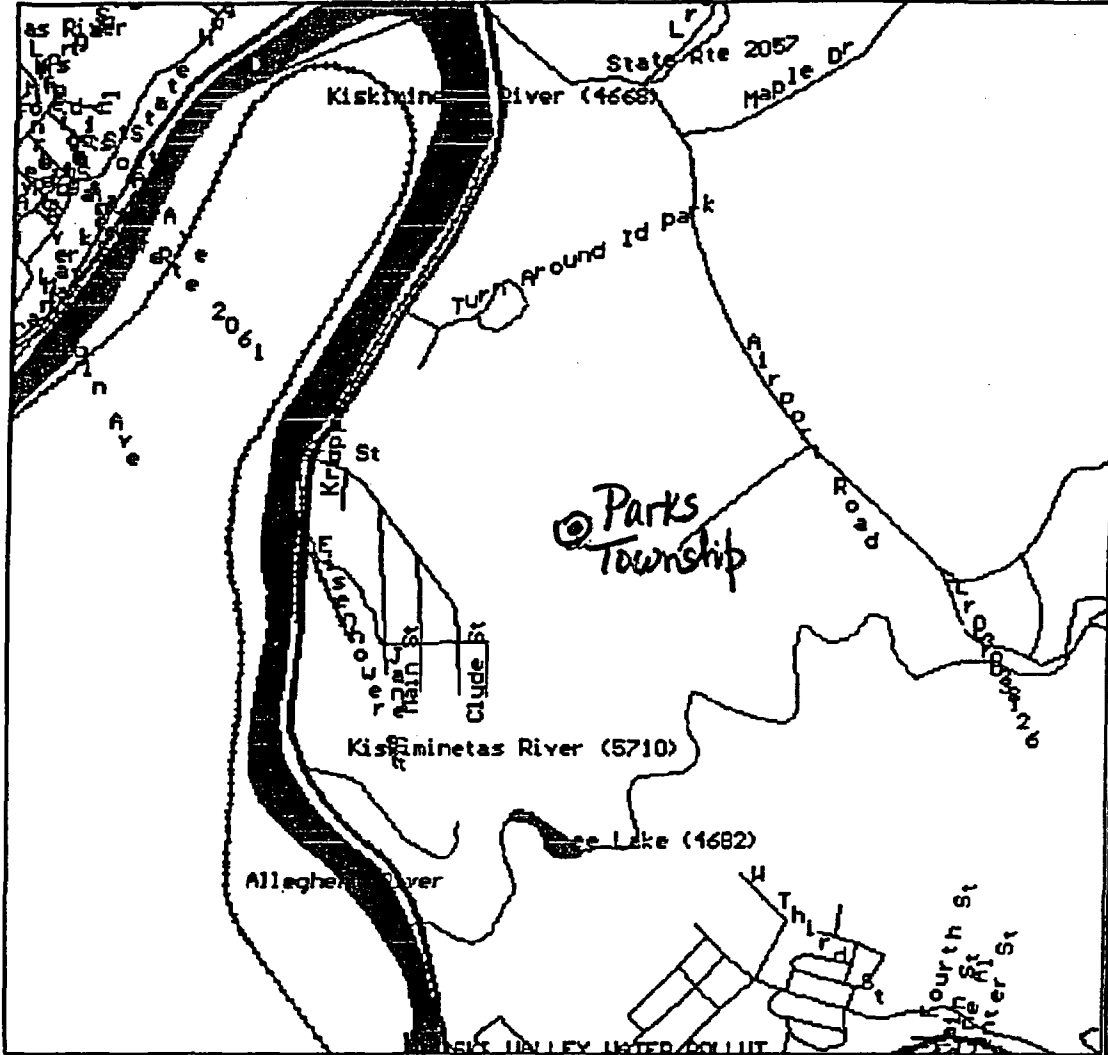
Parks Township

LAT/LONG

40.622784/-79.579575

1:22428

2.00 by 1.94 miles



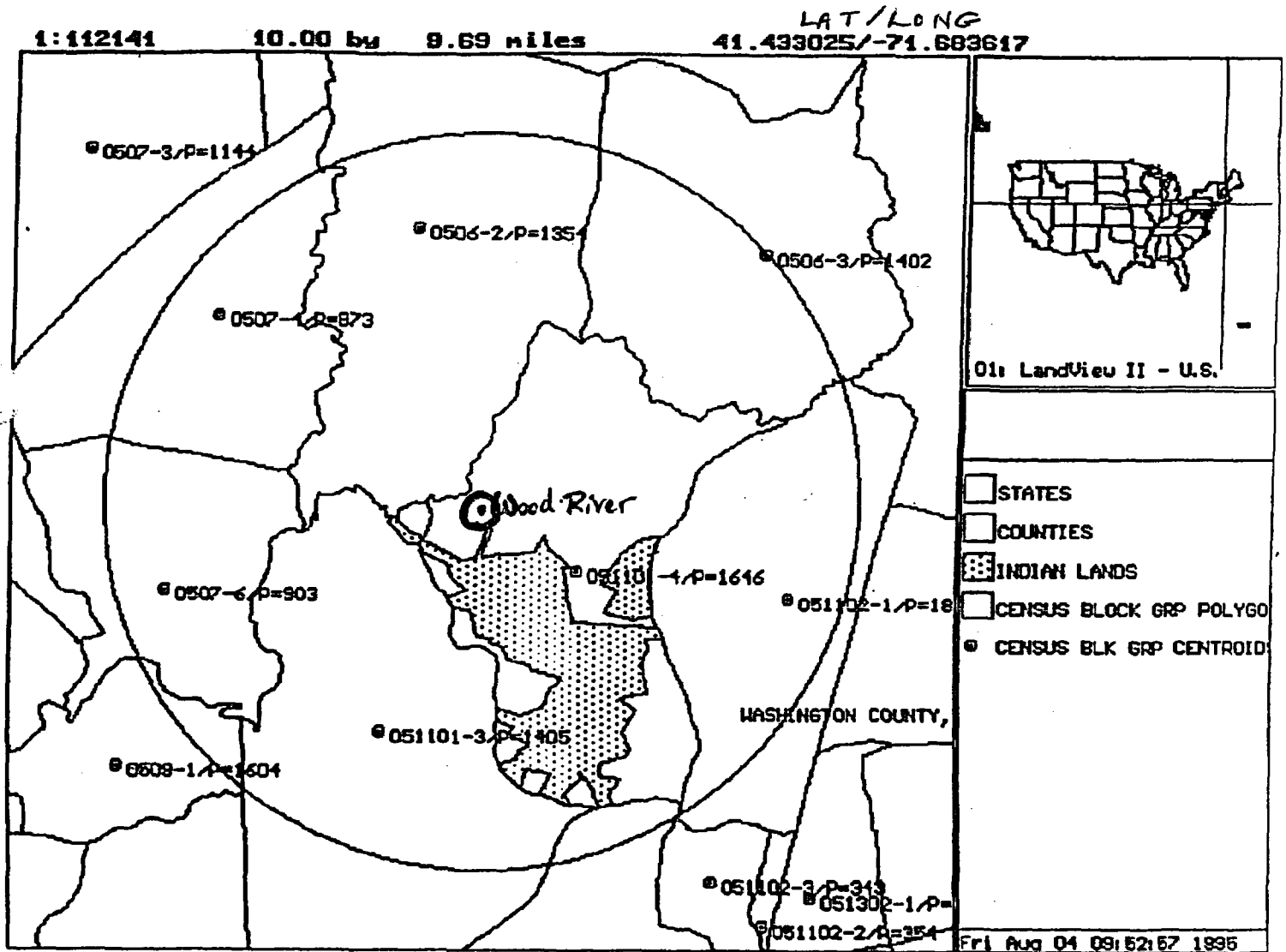
01: LandView II - U.S.

- STATES
- COUNTIES
- HYDROLOGIC AREAS
- SHORELINE (from TIGER)
- WATER (from TIGER)
- MAJOR ROADS (from TIGER)
- WASTEWATER DISCHARGER
- RAILROADS (from TIGER)
- MINOR ROADS (from TIGER)

Mon Aug 07 07:47:58 1995

Figure 1 - Map centered on the Wood River site with a 4 mile radius circle around the site. Census block groups are polygons and the centroid of each block group is a circle with a dot in the middle. The Narrangansett Indian reservation is southeast of the site.

RS



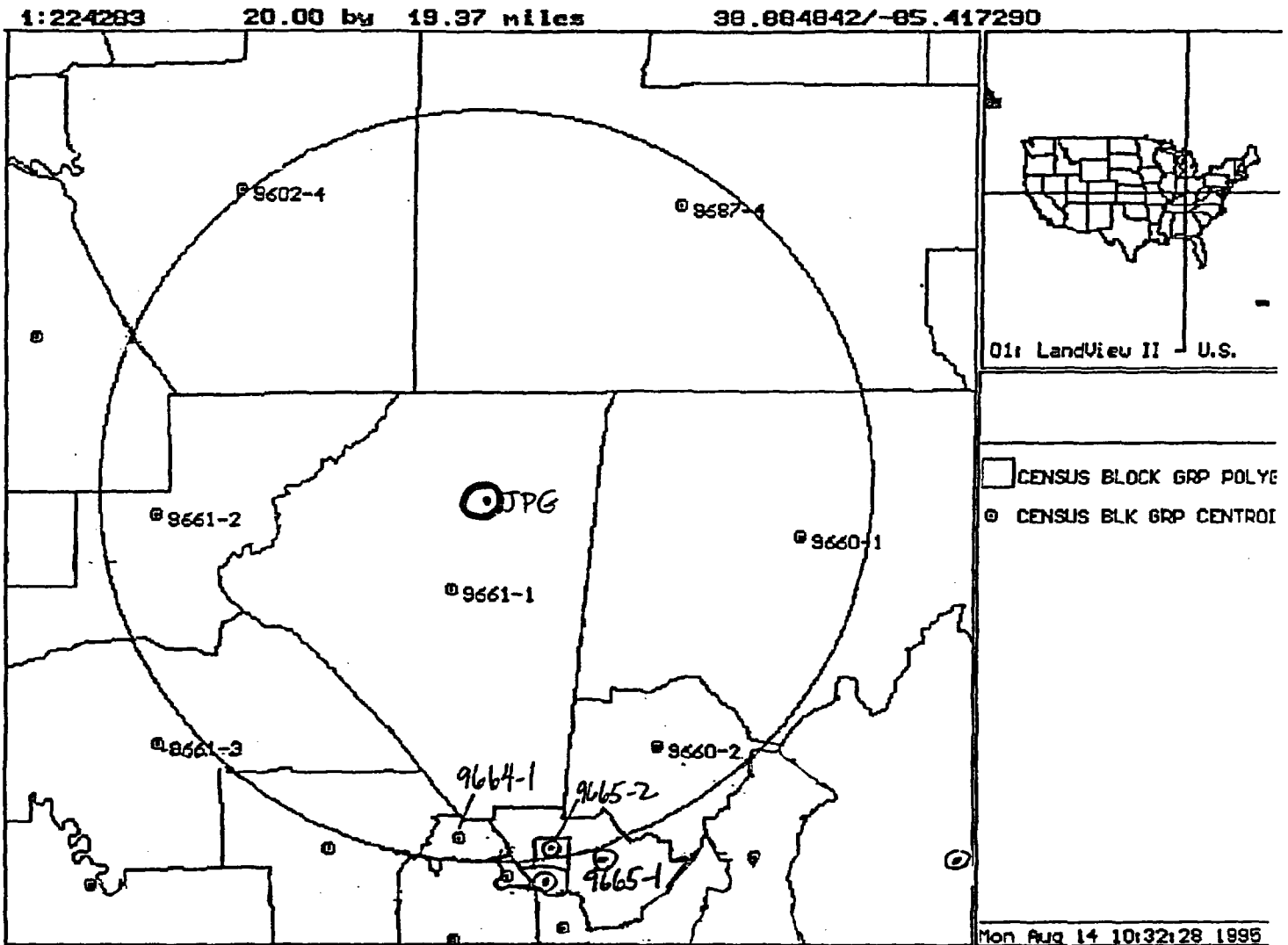
wanted themselves removed
 from under water in front
 stability canoe

**TABLE - DISTRIBUTION BY RACE OF PERCENT OF POPULATION
SURROUNDING UNC WOOD RIVER SITE
(1990 Census Data)**

Area	White	Black	Indian	Asian	Other	Hispanic
Rhode Island	91.4	3.9	0.4	1.8	2.5	4.6
Washington County	96.6	1.0	0.9	1.3	0.2	1.0
Block Group 0506-2	97.1	0.4	0.9	0.7	0.9	1.7
Block Group 0506-3	97.4	0.3	0.7	1.3	0.4	0.8
Block Group 0507-4	97.4	0.1	1.7	0.8	0.0	0.5
Block Group 0507-6	98.6	0.1	1.1	0.2	0.0	0.3
Block Group 051101-3	97.9	0.3	1.2	0.6	0.0	0.2
Block Group 051101-4	94.7	0.9	4.0	0.4	0.0	0.8
Block Group 051102-1	96.5	1.3	1.1	1.1	0.1	0.8
Narragansett Reservation	36.7	0.0	63.3	0.0	0.0	0.0

Figure 1. Map of the Jefferson Proving Group (JPG) area. A circle with a radius of 8 miles is centered on the JPG site. Census block groups are polygons and the centroid of each block group is a circle with a dot in the middle.

Indiana

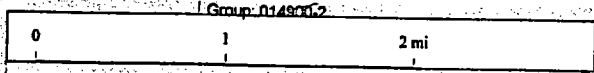




MARPLOT

Lake City, Missouri

*demographics
related to
geographic
center*

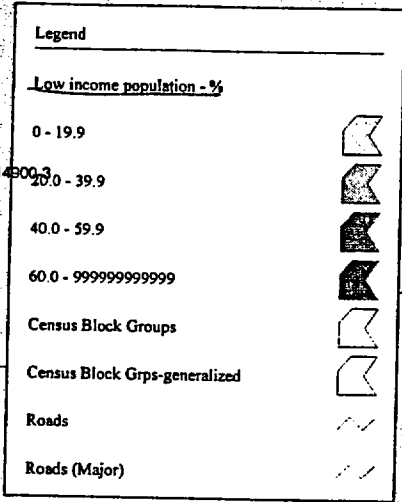


p: 011404-9

Group: 014900-1

Lake City

Group: 014801-9

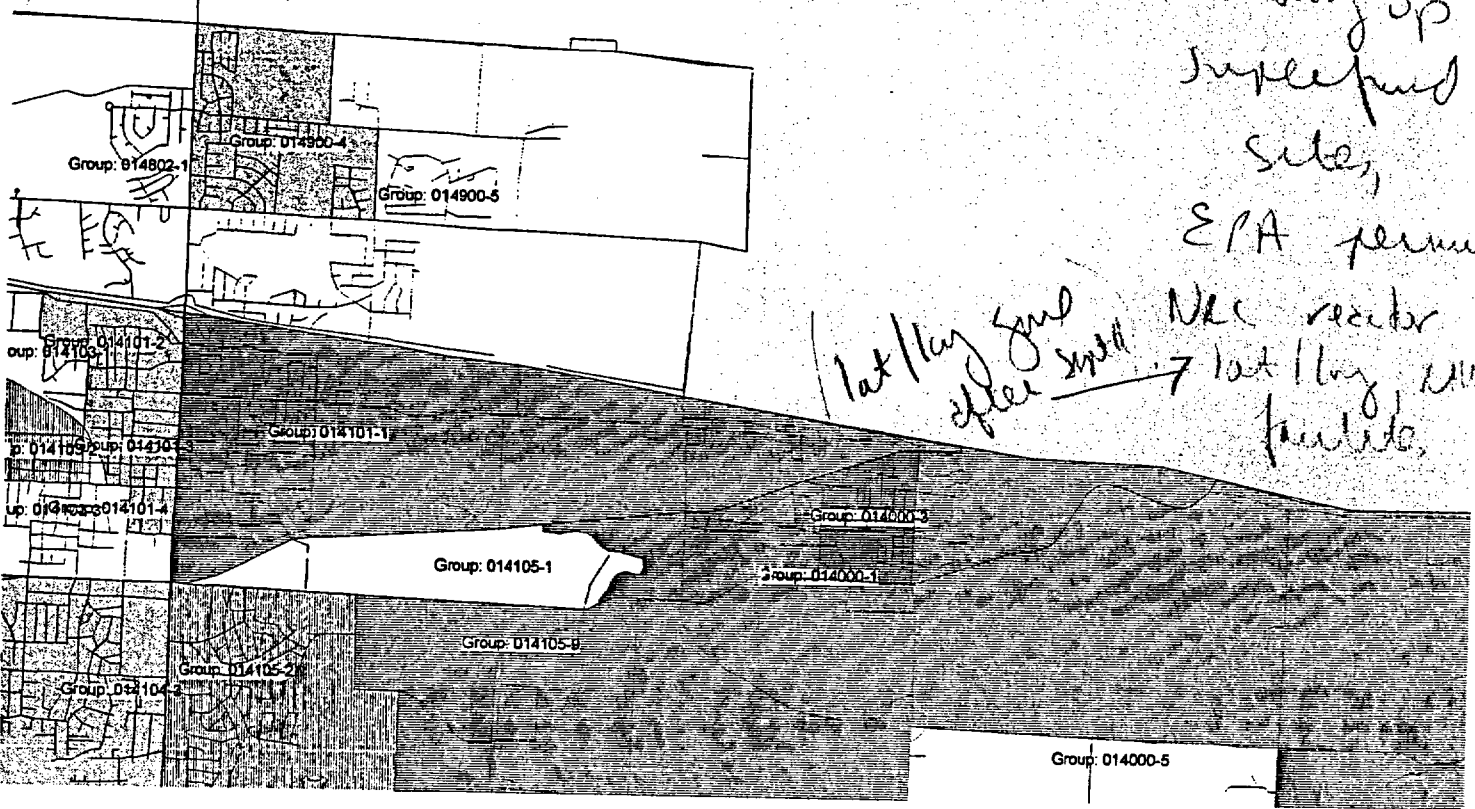


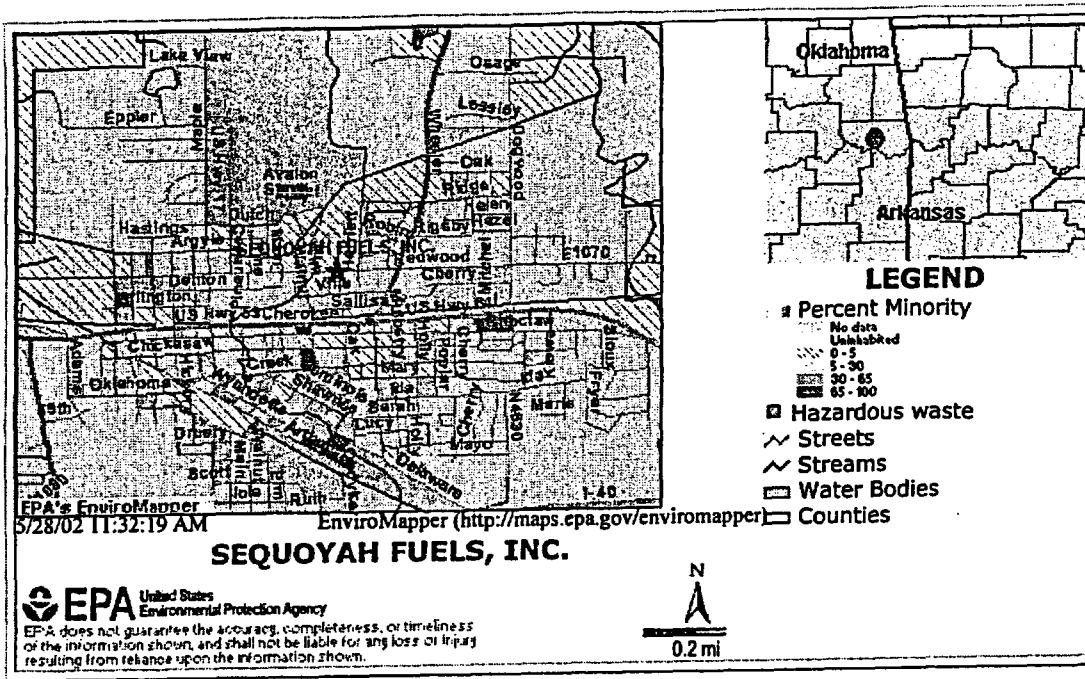
Group: 014800-3

Group: 014900-6

*Can buy up
undeveloped
sites,
EPA permits,*

*lat/long coord
after 5/11 → lat/long coord
facilities*





- Wrong location

- The Environmental Justice Query Mapper (EnviroJustice Mapper) was developed as an information resource for the general public. Access to the EnviroJustice Mapper application is provided via the Internet to provide the general public with easy access to information on EPA permitted facilities and their surrounding communities. EnviroJustice Mapper through a combination of facility and Geographic Information System (GIS) data, creates a facility profile which is then illustrated through the use of GIS maps, in three easy steps. Access via: <http://es.epa.gov/oeca/main/ej/ejmapper/>

- put in facility name
- gives % of pop from but 20 miles off

ATTACHMENTS

Title 3—

The President

Executive Order 12898 of February 11, 1994

Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1-1. Implementation.

1-101. Agency Responsibilities. To the greatest extent practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.

1-102. Creation of an Interagency Working Group on Environmental Justice.

(a) Within 3 months of the date of this order, the Administrator of the Environmental Protection Agency ("Administrator") or the Administrator's designee shall convene an interagency Federal Working Group on Environmental Justice ("Working Group"). The Working Group shall comprise the heads of the following executive agencies and offices, or their designees: (a) Department of Defense; (b) Department of Health and Human Services; (c) Department of Housing and Urban Development; (d) Department of Labor; (e) Department of Agriculture; (f) Department of Transportation; (g) Department of Justice; (h) Department of the Interior; (i) Department of Commerce; (j) Department of Energy; (k) Environmental Protection Agency; (l) Office of Management and Budget; (m) Office of Science and Technology Policy; (n) Office of the Deputy Assistant to the President for Environmental Policy; (o) Office of the Assistant to the President for Domestic Policy; (p) National Economic Council; (q) Council of Economic Advisers; and (r) such other Government officials as the President may designate. The Working Group shall report to the President through the Deputy Assistant to the President for Environmental Policy and the Assistant to the President for Domestic Policy.

(b) The Working Group shall: (1) provide guidance to Federal agencies on criteria for identifying disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(2) coordinate with, provide guidance to, and serve as a clearinghouse for, each Federal agency as it develops an environmental justice strategy as required by section 1-103 of this order, in order to ensure that the administration, interpretation and enforcement of programs, activities and policies are undertaken in a consistent manner;

(3) assist in coordinating research by, and stimulating cooperation among, the Environmental Protection Agency, the Department of Health and Human Services, the Department of Housing and Urban Development, and other agencies conducting research or other activities in accordance with section 3-3 of this order;

(4) assist in coordinating data collection, required by this order;

(5) examine existing data and studies on environmental justice;

(6) hold public meetings as required in section 5-502(d) of this order; and

(7) develop interagency model projects on environmental justice that evidence cooperation among Federal agencies.

1-103. Development of Agency Strategies. (a) Except as provided in section 6-605 of this order, each Federal agency shall develop an agency-wide environmental justice strategy, as set forth in subsections (b)-(e) of this section that identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. The environmental justice strategy shall list programs, policies, planning and public participation processes, enforcement, and/or rulemakings related to human health or the environment that should be revised to, at a minimum: (1) promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations; (2) ensure greater public participation; (3) improve research and data collection relating to the health of and environment of minority populations and low-income populations; and (4) identify differential patterns of consumption of natural resources among minority populations and low-income populations. In addition, the environmental justice strategy shall include, where appropriate, a timetable for undertaking identified revisions and consideration of economic and social implications of the revisions.

(b) Within 4 months of the date of this order, each Federal agency shall identify an internal administrative process for developing its environmental justice strategy, and shall inform the Working Group of the process.

(c) Within 6 months of the date of this order, each Federal agency shall provide the Working Group with an outline of its proposed environmental justice strategy.

(d) Within 10 months of the date of this order, each Federal agency shall provide the Working Group with its proposed environmental justice strategy.

(e) Within 12 months of the date of this order, each Federal agency shall finalize its environmental justice strategy and provide a copy and written description of its strategy to the Working Group. During the 12 month period from the date of this order, each Federal agency, as part of its environmental justice strategy, shall identify several specific projects that can be promptly undertaken to address particular concerns identified during the development of the proposed environmental justice strategy, and a schedule for implementing those projects.

(f) Within 24 months of the date of this order, each Federal agency shall report to the Working Group on its progress in implementing its agency-wide environmental justice strategy.

(g) Federal agencies shall provide additional periodic reports to the Working Group as requested by the Working Group.

1-104. Reports to the President. Within 14 months of the date of this order, the Working Group shall submit to the President, through the Office of the Deputy Assistant to the President for Environmental Policy and the Office of the Assistant to the President for Domestic Policy, a report that describes the implementation of this order, and includes the final environmental justice strategies described in section 1-103(e) of this order.

Sec. 2-2. Federal Agency Responsibilities for Federal Programs. Each Federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under, such programs, policies, and activities, because of their race, color, or national origin.

Sec. 3-3. Research, Data Collection, and Analysis.

3-301. Human Health and Environmental Research and Analysis. (a) Environmental human health research, whenever practicable and appropriate, shall include diverse segments of the population in epidemiological and clinical studies, including segments at high risk from environmental hazards, such as minority populations, low-income populations and workers who may be exposed to substantial environmental hazards.

(b) Environmental human health analyses, whenever practicable and appropriate, shall identify multiple and cumulative exposures.

(c) Federal agencies shall provide minority populations and low-income populations the opportunity to comment on the development and design of research strategies undertaken pursuant to this order.

3-302. Human Health and Environmental Data Collection and Analysis. To the extent permitted by existing law, including the Privacy Act, as amended (5 U.S.C. section 552a): (a) each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information assessing and comparing environmental and human health risks borne by populations identified by race, national origin, or income. To the extent practical and appropriate, Federal agencies shall use this information to determine whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(b) In connection with the development and implementation of agency strategies in section 1-103 of this order, each Federal agency, whenever practicable and appropriate, shall collect, maintain and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding facilities or sites expected to have a substantial environmental, human health, or economic effect on the surrounding populations, when such facilities or sites become the subject of a substantial Federal environmental administrative or judicial action. Such information shall be made available to the public, unless prohibited by law; and

(c) Each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding Federal facilities that are: (1) subject to the reporting requirements under the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. section 11001-11050 as mandated in Executive Order No. 12856; and (2) expected to have a substantial environmental, human health, or economic effect on surrounding populations. Such information shall be made available to the public, unless prohibited by law.

(d) In carrying out the responsibilities in this section, each Federal agency, whenever practicable and appropriate, shall share information and eliminate unnecessary duplication of efforts through the use of existing data systems and cooperative agreements among Federal agencies and with State, local, and tribal governments.

Sec. 4-4. Subsistence Consumption of Fish and Wildlife.

4-401. Consumption Patterns. In order to assist in identifying the need for ensuring protection of populations with differential patterns of subsistence consumption of fish and wildlife, Federal agencies, whenever practicable and appropriate, shall collect, maintain, and analyze information on the consumption patterns of populations who principally rely on fish and/or wildlife for subsistence. Federal agencies shall communicate to the public the risks of those consumption patterns.

4-402. Guidance. Federal agencies, whenever practicable and appropriate, shall work in a coordinated manner to publish guidance reflecting the latest scientific information available concerning methods for evaluating the human health risks associated with the consumption of pollutant-bearing fish or

wildlife. Agencies shall consider such guidance in developing their policies and rules.

Sec. 5-5. Public Participation and Access to Information. (a) The public may submit recommendations to Federal agencies relating to the incorporation of environmental justice principles into Federal agency programs or policies. Each Federal agency shall convey such recommendations to the Working Group.

(b) Each Federal agency may, whenever practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English speaking populations.

(c) Each Federal agency shall work to ensure that public documents, notices, and hearings relating to human health or the environment are concise, understandable, and readily accessible to the public.

(d) The Working Group shall hold public meetings, as appropriate, for the purpose of fact-finding, receiving public comments, and conducting inquiries concerning environmental justice. The Working Group shall prepare for public review a summary of the comments and recommendations discussed at the public meetings.

Sec. 6-6. General Provisions.

6-601. Responsibility for Agency Implementation. The head of each Federal agency shall be responsible for ensuring compliance with this order. Each Federal agency shall conduct internal reviews and take such other steps as may be necessary to monitor compliance with this order.

6-602. Executive Order No. 12250. This Executive order is intended to supplement but not supersede Executive Order No. 12250, which requires consistent and effective implementation of various laws prohibiting discriminatory practices in programs receiving Federal financial assistance. Nothing herein shall limit the effect or mandate of Executive Order No. 12250.

6-603. Executive Order No. 12875. This Executive order is not intended to limit the effect or mandate of Executive Order No. 12875.

6-604. Scope. For purposes of this order, Federal agency means any agency on the Working Group, and such other agencies as may be designated by the President, that conducts any Federal program or activity that substantially affects human health or the environment. Independent agencies are requested to comply with the provisions of this order.

6-605. Petitions for Exemptions. The head of a Federal agency may petition the President for an exemption from the requirements of this order on the grounds that all or some of the petitioning agency's programs or activities should not be subject to the requirements of this order.

6-606. Native American Programs. Each Federal agency responsibility set forth under this order shall apply equally to Native American programs. In addition, the Department of the Interior, in coordination with the Working Group, and, after consultation with tribal leaders, shall coordinate steps to be taken pursuant to this order that address Federally-recognized Indian Tribes.

6-607. Costs. Unless otherwise provided by law, Federal agencies shall assume the financial costs of complying with this order.

6-608. General. Federal agencies shall implement this order consistent with, and to the extent permitted by, existing law.

6-609. Judicial Review. This order is intended only to improve the internal management of the executive branch and is not intended to, nor does it create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person. This order shall not be construed to create any right to judicial review involving the compliance or noncompliance

of the United States, its agencies, its officers, or any other person with this order.

William Clinton

THE WHITE HOUSE,
February 11, 1994.

[FR Citation 59 FR 7629]

THE WHITE HOUSE

WASHINGTON

February 11, 1994

MEMORANDUM FOR THE HEADS OF ALL DEPARTMENTS AND AGENCIES

SUBJECT: Executive Order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations

Today I have issued an Executive order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. That order is designed to focus Federal attention on the environmental and human health conditions in minority communities and low-income communities with the goal of achieving environmental justice. That order is also intended to promote nondiscrimination in Federal programs substantially affecting human health and the environment, and to provide minority communities and low-income communities access to public information on, and an opportunity for public participation in, matters relating to human health or the environment.

The purpose of this separate memorandum is to underscore certain provision of existing law that can help ensure that all communities and persons across this Nation live in a safe and healthful environment. Environmental and civil rights statutes provide many opportunities to address environmental hazards in minority communities and low-income communities. Application of these existing statutory provisions is an important part of this Administration's efforts to prevent those minority communities and low-income communities from being subject to disproportionately high and adverse environmental effects.

I am therefore today directing that all department and agency heads take appropriate and necessary steps to ensure that the following specific directives are implemented immediately:

In accordance with Title VI of the Civil Rights Act of 1964, each Federal agency shall ensure that all programs or activities receiving Federal financial assistance that affect human health or the environment do not directly, or through contractual or other arrangements, use criteria, methods, or practices that discriminate on the basis of race, color, or national origin.

Each Federal agency shall analyze the environmental effects, including human health, economic and social effects, of Federal actions, including effects on minority communities and low-income communities, when such analysis is required by the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. section 4321 et seq. Mitigation measures outlined or analyzed in an environmental assessment, environmental impact statement, or record of decision, whenever feasible, should address significant and adverse environmental effects of proposed Federal actions on minority communities and low-income communities.

Each Federal agency shall provide opportunities for community input in the NEPA process, including identifying potential effects and mitigation measures in consultation with affected communities and improving the accessibility of meetings, crucial documents, and notices.

The Environmental Protection Agency, when reviewing environmental effects of proposed action of other Federal agencies under section 309 of the Clean Air Act, 42 U.S.C. section 7609, shall ensure that the involved agency has fully analyzed environmental effects on minority communities and low-income communities, including human health, social, and economic effects.

Each Federal agency shall ensure that the public, including minority communities and low-income communities, has adequate access to public information relating to human health or environmental planning, regulations, and enforcement when required under the Freedom of Information Act, 5 U.S.C. section 552, the Sunshine Act, 5 U.S.C. section 552b, and the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. section 11044.

This memorandum is intended only to improve the internal management of the Executive Branch and is not intended to, nor does it create, any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

William D. Center

ENVIRONMENTAL JUSTICE

***Guidance Under the
National Environmental Policy Act***



**Council on Environmental Quality
Executive Office of the President
Old Executive Office Building, Room 360
Washington, D.C. 20502
(202)395-5750
<http://www.whitehouse.gov/CEQ/>
December 10, 1997**

*no numerical
guidelines
given*

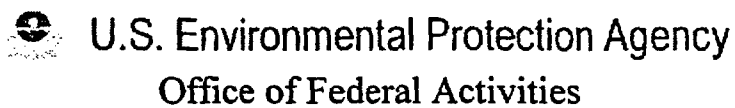
**GUIDANCE
FOR
INCORPORATING ENVIRONMENTAL JUSTICE CONCERNS
IN
EPA'S NEPA COMPLIANCE ANALYSES**

April 1998

*no numerical
guidance*

**U.S. Environmental Protection Agency
Office of Federal Activities
401 M Street S.W.
Washington, D.C. 20460**





U.S. Environmental Protection Agency
Office of Federal Activities

Final Guidance for Consideration of Environmental Justice in Clean Air Act 309 Reviews

July 1999

DISCLAIMER

The mention of company or product names is not to be considered an endorsement by the U.S. Government or by the Environmental Protection Agency (EPA). This document was prepared with the technical assistance of Science Applications International Corporation in partial fulfillment of EPA Contract 68-WE-0026, Work Assignment 72-IV.

This policy guidance is intended only to improve the internal management of EPA's environmental justice programs as it relates to EPA reviews made under Section 309 of the Clean Air Act. It does not create any right, benefit or trust obligation either substantive or procedural, enforceable by any person, or entity in any court against the agency, its officers, or any other person. EPA's compliance with this guidance is not judicially reviewable. EPA may elect not to follow this guidance as circumstances warrant and may revise it in the future.

TABLE OF CONTENTS

LIST OF ABBREVIATIONS AND ACRONYMS

1.0 INTRODUCTION

1.1 Organization of this Guidance

1.2 Background

1.3 What is Environmental Justice?

2.0 ENVIRONMENTAL JUSTICE ANALYSES

2.1 EPA Responsibilities Under Section 309 of the Clean Air Act

2.2 Pre-Review Activities

2.3 Review of Draft Environmental Impact Statements

2.3.1 Public Participation

2.3.2 Determining the Affected Environment

2.3.3 Analysis

2.3.4 Alternatives

2.3.5 Mitigation